HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT PETITION No.27970 of 2005

Dated: 27-09-2006

Between:

J. Mohan Reddy

… Petitioner/s

and

Rayalaseema Grameena Bank,
Rep.by its Chairman,
Head Office, Kadapa.

…Respondent/s

HON'BLE SRI JUSTICE R. SUBHASH REDDY

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ORDER :

This writ petition is filed seeking Mandamus declaring the inaction of the respondents in finalizing the disciplinary proceedings in pursuance of the Charge Memo No.27/1211/A/0005/STF/97, dated 10-10-1997 in spite of submission of the enquiry report dated 8-12-2004 as arbitrary and illegal.

The petitioner, who is working as Branch Manager of the respondent Bank, was placed under suspension. It is stated that different proceedings were initiated on different sets of charges and the present case is with reference to the proceedings in pursuance of the Charge Memo No.27/1211/A/0005/STF/97, dated
10-10-1997.

It is submitted that so far as the present charge is concerned, the enquiry officer has concluded the enquiry as early as on 21-8-2004 and submitted the enquiry report on 8-12-2004. The only grievance of the petitioner is that though the enquiry is completed, without any valid reason, no further steps are being taken. Hence the present writ petition.

A counter affidavit is filed on behalf of the respondent Bank,

giving the details of various disciplinary proceedings initiated for different sets of charges and also with reference to the criminal cases registered against the petitioner, including the case in which the petitioner was charged under Section 302 IPC for involving in the murder of the General Manager of the respondent Bank. In the counter, it is admitted that the enquiry proceedings with regard to the Charge Memo dated 10-10-1997 were concluded and the enquiry officer has submitted his report on 8-12-2004.

Heard learned counsel for the petitioner and the learned standing counsel for the respondent Bank.

Though it is contended that several other proceedings, either Departmental or criminal, are pending, at the same time, when the enquiry is completed with reference to the Charge Memo dated 10-10-1997, there is no justification on the part of the respondent authorities in not passing the appropriate final orders with regard to the said charge.

In view of the involvement of the limited question in this writ petition and having regard to the fact of admission of the respondents with regard to the conclusion of the enquiry proceedings and submission of the enquiry report in the year 2004 itself, I dispose of the writ petition directing the respondents to pass appropriate final orders with reference to the Charge Memo No.27/1211/A/0005/STF/97, dated 10-10-1997, within a period of two months from the date of receipt of a copy of this order. However, it is made clear that if any other charges are pending against the petitioner, it is open for the respondents to pass appropriate orders in accordance with law.

Subject to above direction, the writ petition is disposed of. There shall be no order as to costs.

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R.SUBHASH REDDY, J

27-09-2006.
Msr.

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(Msr)